

SFM Wildland-Urban Interface Building Standards Advisory Committee
Meeting Notes
Stakeholder Meeting – June 30, 2005, 9 a.m. to 4 p.m.
held at the Regional Council of Rural Counties
801 12th Street, 2nd Floor Conference Room
Sacramento, CA 95814

FACILITATORS:

Kate Dargan and Ethan Foote, Co-Chairs
SFM Wildland-Urban Interface (WUI) Building Standards Advisory Committee

COMMITTEE MEMBERS PRESENT:

Pete Guisasola (morning session only)
Doug Hensel (afternoon session only)
John Hofmann
Don Oaks
Steve Quarles
Bob Raymer (morning session only)
Kevin Reinertson (afternoon session only)
Brad Remp
Dave Sapsis
Howard Stacy

Ruben Grijalva, State Fire Marshal
Hugh Council, SFM Liaison

STAKEHOLDER ATTENDEES:

Jeff Badelt, J&W Lumber Co.
Rick Church, American Fence Association, Inc. &
Composite & Vinyl Deck Manufacturers
Denise Duncan, Mattos & Associates Lumber
Association of CA & NV (LACN), & Trex
Tom Fabian, Underwriters Laboratories Inc.
Rich Geary, Hoover Treated Wood Products, Inc.
Butch Gunter, Building Materials Distributors, Inc.
William R. Gupp, Trex Company, Inc.
Bill Hendricks, Safer Building Solutions, Chemco
Joe Holland, Hoover Treated Wood Products, Inc.
Howard Hopper, Underwriters Laboratories Inc.
Charles Jourdain, CA Redwood Association
Stephanie Kiser, Building Materials Distributors
Brian Lowry, EPOCH Composite Products, Inc.
Kathy Lynch, Lynch & Associates,
AFPA & Chemco
Deborah Mattos, Mattos & Associates
James McMullen, The McMullen Co., Inc./Hoover
Treated Wood Products, Inc.
Tom Melum, Chemco, Inc.
Ray Miller, Hoover Treated Wood Products, Inc.
Jerry Parks, Western Wood Preservers Institute
Joseph Pass, TimerTech Ltd.
Stephen C. Patterson, LACN
Mark Pawlicki, Simpson Timber Company and
CA Forestry Association
Greg Ratlief, Trex Company
Phil Schott, Schott & Lites/Roos & Associates on
behalf of TimberTech
Bill Towson, Arch Wood Protection
Kevin Turner, TimberTech Ltd.
David Tyree, American Forest & Paper Assoc.
Bob Viterbo, American Composite Building
Don Zadrozna, Elk Building Products
Joe Zicherman, Fire Cause Analysis, for Trex Co.

DOCUMENT HANDOUTS:

Meeting Agenda

Meeting Notes taken from Stakeholders' Meeting held on May 20, 2005,
and Advisory Committee Meeting on June 10, 2005

WUI Building Standards Informational Brochure, "Protecting the Homes and Citizens of California"

WUI Contact List, updated June 30, 2005

Written comments from California Building Industry Association regarding
Draft WUI Building Standards

05/28/05 updated version of "Phase 2 Express Terms, CBC Chapter 7A, SFM Phase 2 WUIBS

Regulations for CBC Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure"

TODAY'S AGENDA

Co-Chair Dargan explained that today's agenda will include self-introductions as well as discussion of a possible meeting date change for the July 21st meeting, should there be a need for a meeting. If there is a need for the additional combined meeting, the date will need to be changed from July 21st to July 28, 2005.

Further, the "Rough Final" Draft, dated 05/28/05, of the proposed regulations is being distributed during today's meeting and will be discussed. This draft is a result of the review by the Advisory Committee on June 10th, with further review and suggested changes by both the Core Committee and State Fire Marshal Ruben Grijalva. This final rough draft will be presented during today's meeting for the group to look at in its entirety to determine if there is general consensus or significant concerns with the options of the proposed regulations. Additionally, discussion will be held regarding the adoption process; whether it is to be presented to the Building Standards Commission (BSC) as Emergency Regulations or adoption as Appendix.

COMMENTS/DISCUSSIONS

Revision to June 10, 2005 Meeting Notes: Page 6, Item 8 should be corrected to read "Dave Tyree was asked to contact Bob Raymer for ~~performance~~ prescriptive-based language." This correction was so noted.

Member Bob Raymer asked for clarification in Section 701A.1 – Scope, as to the definition of "new" buildings. He asked if this applies to new residential dwellings built for first occupancy or alternations to older residential facilities. Co-Chair Dargan responded that this language has already been adopted under Phase 1 by the BSC and, therefore, is an interpretation question and offered the explanation of the intent as being the construction of new buildings and does not apply to alteration/modification. It was suggested that this is not extremely clear and may warrant an Interpretation or Informational Bulletin issued by the SFM explaining that these regulations will apply to new construction after these regulations are adopted.

The mapping project by CDF of the Fire Hazard Severity Zones within State Responsibility Areas of California was explained by CDF staff.

Referencing 701A.3 – Application, as adopted under Phase 1 by the BSC, Co-Chair Dargan stated that new buildings located in any Fire Hazard Severity Zone within State Responsibility Areas or any Wildland-Urban Interface Fire Area designated by the enforcing agency for which an application for a building permit is submitted on or after December 1, 2005, shall comply with 704A.1 – Roofing, 704A.2 – Attic Ventilation, and 701A.3.1 – Alternates for materials, design, tests and methods of construction.

Referencing 701A.3.2 – Application Following Map Revisions, Co-Chair Dargan explained that the maps are currently in the revision process which is anticipated to take a couple of years. As stated in the 05/28/05 Draft of Phase 2 Express Terms, 180 days after the CDF Director has adopted revised Fire Hazard Severity Zone maps or Wildland-Urban Interface Fire Area has been designated by a local agency, the provisions, as stated, shall become effective. It was suggested that the term “statewide” is not necessary and may be confusion in this section, and could, instead, read, “...the following provisions shall become effective ~~statewide~~ for the following areas...”. It was also questioned if “all provisions” needed to be explained; it was suggested that “all provisions within this Chapter” might clarify the statement.

IGNITION-RESISTANT MATERIAL: Member Raymer commented that there has been interest shown by the California Building Industry Association (CBIA) and the building officials and both prescriptive and performance methods are mentioned in Statute (AB 1216). Regardless of which of the standards is used, the SFM will need to develop, among other things, a cost/benefit analysis. Therefore, it might be beneficial to list four or five of the most commonly-used construction techniques that could comply. As an alternative, the SFM could release an Information Bulletin that includes a list, however, this list would need to be released very quickly.

It was recalled that the Advisory Committee had referenced the nationally-recognized test standard to derive at the definition on page 3 of the 05/28/05 draft, as it applies to “Ignition-Resistant Material”. Co-Chair Foote asked Howard Stacy, Howard Hopper and Tom Fabian to research and recommend any needed rewording of this definition to the Advisory Committee for their consideration.

It was commented that the last sentence under “Note” had been inadvertently omitted from the 05/28/05 draft. Therefore, the note was corrected to read: “Note: Fire Retardant-Treated Wood as defined in CBC Section 207 shall satisfy the intent of ~~the above~~ this definition. The enforcing agency may use other definitions of Ignition-Resistant Material that reflect wildfire exposure to building materials and/or the materials performance in resisting ignition.”. Also, the proper code formatting with the use of “Note” in this definition needs to be researched.

The Stakeholders were then asked if they could “live with” the intent of the definition of Ignition-Resistant Material, with the revisions made:

Rick Church, American Fence Association representing Composite & Vinyl Fence Deck & Railing Manufacturers, responded he does not know yet as there has not been an opportunity to review these materials. He will be talking with several companies that he represents to get their input and provide that input to the Committee.

Brian Lowry, EPOCH Composite Products, echoed somewhat the response by Rick Church; for a company such as his that is new to this process, he cannot answer the question or give the endorsement at this point until such time that his company has had the opportunity to take a longer look at the standards.

Section 703A – Materials, Systems and Methods of Construction, Section 703A.2 Qualification by Testing, “ICC-ES/ICBOS” was corrected to read, “...ICC-ES/ICBO-ES”. Also, under 703A.2 Qualification by Testing, it was suggested there may be a need to include the National Evaluation Report (NER).

Section 706A – Ancillary Structures – Co-Chair Dargan explained that the intent of this section is to create effective regulations that will not unreasonably impact this particular segment of the industry or the population of California home builders.

Rick Church, American Fence Association, representing fence, deck and railing industry, asked for clarification of the non-inclusion of fences in ancillary structures. After discussion, Co-Chair Dargan summarized that it can be assumed that, at the State level of implementation of regulations, there would be no impact to the fencing industry; it could only occur at the local level.

Section 706A.1 Decking: Joe Zicherman, Fire Cause Analysis, asked for clarification regarding the inclusion of the “ASTM E84 Flame Spread Test-Class ‘A’ Brand”. It was suggested that it should either be E84 or Class “A” Brand. After discussion, the first paragraph of Section 706A.1 was revised to read, “Surfaces, stair treads, risers, and landings of decks, porches, and balconies shall be ‘Ignition-Resistant Materials’ and pass the performance requirements of 12-7A-5 ‘Deck Test Standard (Parts ‘A’ and ‘B’).”.

Following the June 10th Advisory Committee meeting and previous to today’s meeting, the Core Committee made some further revisions to this section. After extensive discussion by the combined committee during today’s meeting, the third section criteria of 706A.1 Decking will be revised further. Although some segments (identified in yellow) are in need of further wordsmithing during the next Advisory Committee meeting to be held on July 8th, the following verbiage is representative of the proposed rewording of the third section criteria of 706A.1:

OR

Surfaces, stair treads, risers, and landings of decks, porches, and balconies shall pass the performance requirements of 12-7A-5 (Part “A” only) “Deck Test Standard” HRR section when

1. The property is certified (need to clarify who certifies) as meeting the requirements of defensible space, and
2. The exterior wall and openings to which it is attached is designed to withstand the heat release from the selection decking material and is of approved non-combustible or ignition-resistant material.

EXCEPTION: This option is not available when the deck is extended (x%?) over an exposed slope, or threatened by downhill flame lengths greater than those that legally enforced defensible space can mitigate.

(Peak Heat Release Rate component of less than 100 KW becomes the pass/fail point [need to decide for how long testing duration such as average heat release rate or total HRR using ICal calorimeter])

(weathering at 12 weeks)

(need to consider finish rating)

(Intumescent paint not to be permitted)

Co-Chair Dargan polled those present at today's meeting, asking if the Decking section, as revised today, would meet their needs and desires, or if, instead, this is a "can't live with as written", understanding that the State Fire Marshal will take these comments into consideration. The following comments were noted by those who either could not accept, as written, or maybe accept along with their explanation:

No, could not accept, as written:

Tom Fabian, UL - Testing criteria needs more definition.

Bob Viterbo, American Composite Building – The proposed regulations have been lowered quite a bit, therefore, no, cannot accept them as they are now written. Additionally, he will consult with the owners of the companies.

Maybe could accept, with explanation:

Representatives from TimberTech - Not being engineers, their engineers need to review before they can answer.

Bill Lowry, EPOCH - Not enough information or data to base a decision.

Jeff Badelt, J&W Lumber - There was not enough discussion regarding a deck extending over an exposed slope and asked if there could be a percentage of slopes that could be attached to the Exception.

Representatives from Trex - There is a need to discuss with their colleagues before they can answer.

Don Zadrozna, Elk Building Products – Can't answer at this time.

Rick Church, American Fence Association & Composite & Vinyl Deck – Maybe; he needs to take this back to his companies.

Representatives from Redwood Products – Has a problem with the Exception.

OVERALL ISSUES and CONCERNS

Discussion of Appendix vs. Chapter 7A Emergency Regulations: Member Raymer emphasized the importance of working with the nine-point criteria during the BSC process and the importance of identifying effective dates.

The effective date of Phase 1 is December 1, 2005, as it is being adopted as Emergency Standards into the body of the code. The effective date of Phase 2, however, is not clearly identified and is based on certain tasks being completed in the future (i.e., completion of the mapping project). There is a need to identify precise periods of time that can also be adopted as building standards along with the construction specifications.

Because there are no precise periods of time for Phase 2, he suggested the Advisory Committee might want to consider a number of alternative methods. One alternative would be to choose some already-defined limited area and adopt it for that limited application, putting this into the body of the code, but also mention "or other areas as recognized by local jurisdictions". This will enable a smooth transition and helps with the training of building officials and subcontractors, etc. If it is the desire of the Advisory Committee to get it into the body of the code as opposed to the appendix, a defined area will be needed; CDF, at this time, is not able to clearly define the areas. Therefore, he proposes that the SFM consider either developing the guideline or an appendix of the chapter. In essence, it is the same set of regulations but, instead of adopting it into the body of the code, it is adopted as appendix chapter without a SFM adoption and is for local review and application only. Another suggestion might be to seek approval as a

guideline; the benefit being that the SFM does not spend a lot of time with all the administrative documents (i.e., Statement of Reasons, cost-affect analysis, etc.). Member Raymer suggested that he, along with Co-Chairs Dargan and Foote meet with SFM Grijalva and staff from Department of Housing and Community Development (and possibly BSC staff) to determine how to legally meet this challenge. After further discussion, it was agreed that the Core Group will meet regarding this issue.

Regarding Section 706A – Ancillary Structures, Rick Church, representing fence, deck and railing industry, offered as a general comment, suggesting there needs to be some data collection to demonstrate that decks contribute to loss of structures and lives to support the need for this requirement for ancillary structures, overall. Co-Chair Dargan responded that the science has been done through looking at the test standards relating to the performance of the products. There is 20+ years of damage assessment evidence that was collected on the ground at every foundation that has burned in almost every significant-loss fire in California. Because this assessment is based on burned foundations, this damage assessment data does not specify a sequential provable trail of cause, ignition and affect; however, it is based on the available information at the time. Co-Chair Foote added that there is some research and review by fire scientists looking at numerous acres as well as studies on fires. There are specific studies on fires in which comparison of all the homes (homes that survived and homes that burned) in the fire area and includes statistical association between the deck surface (combustible vs. noncombustible).

The proposed regulation process: It was reiterated the that the regulations proposed by the Advisory Committee will be reported to the State Fire Marshal; the State Fire Marshal will then consider and submit the final proposed regulations to BSC. State Fire Marshal Ruben Grijalva concurred and added that the BSC will then accept or reject the proposed regulations; the BSC cannot modify the proposed regulations. If the BSC recommends for approval of the proposed regulations, there will then be a comment period through the public process.

CLOSING REMARKS

Considering there are sections of the proposed regulations that were not discussed during today's meeting, Co-Chair Dargan invited those present to discuss any other sections or areas of concern with the proposed regulations. Hearing none, Co-Chair Dargan explained that the July 8th Advisory Committee meeting will be an all-day working session to focus on further wordsmithing the deck section. The Stakeholders were invited to attend, as members of the audience, only.

Co-Chair Dargan further stated that, following the July 8th Advisory Committee meeting, the final proposals will be made available on the SFM website for the Stakeholders and all Interested Parties to review. The responses received from these final proposals may necessitate an additional combined meeting on July 28, 2005. E-mail responses to the final proposals are welcome, considering the travel involved for some to attend meetings. Any concerns submitted through e-mails will be confirmed of receipt and taken into consideration. If there is no significant controversy, the July 28th meeting will not be held.

State Fire Marshal Grijalva reminded those present that any recommendation by the Advisory Committee will be incorporated into a recommendation to the SFM; the SFM will then develop Express Terms that will be submitted to the BSC by mid-August for presentation before the BSC in September, 2005 for consideration.

Co-Chair Dargan closed by thanking the group for their attendance and added that a tremendous accomplishment has been rendered.

State Fire Marshal Grijalva also extended his thanks, noting that he realizes it is important for all to have the opportunity for input as well as to listen. He also extended his appreciation to Co-Chairs Dargan and Foote for their dedication and hard work, as well as that of SFM staff..

TASKS (FOLLOW-UP)

1. Consideration of **SFM** for possible development and distribution of Interpretation or Information Bulletin to clarify definition of “new” buildings in Section 701A.1 – Scope.
 2. **Howard Stacy, Howard Hopper** and **Tom Fabian** to research the definition of “Ignition-Resistant Material” on page 3 of the 05/28/05 draft, and recommend any alternate wording to the Advisory Committee for their consideration.
 3. **Core Group** to discuss any alternative methods of adoption (Appendix versus Chapter 7A Emergency Regulations) or use of guideline.
 4. **SFM** to post the updated version of the proposed regulations, as revised during today’s meeting, on the SFM website no later than Tuesday, July 5, 2005.
 5. **SFM** to post any updated version of the proposed regulations revised during July 8th Advisory Committee meeting on the SFM website as soon as available.
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SCHEDULE OF UPCOMING MEETINGS

The next Advisory Committee Meeting is scheduled for Friday, July 8, 2005, beginning a **9:00 a.m.** (instead of 10:00 a.m.) at the SFM Headquarters, 1131 S Street, Sacramento, California. Stakeholders were invited to attend as members of the audience and were asked to confirm their attendance to either Co-Chairs Foote or Dargan to ensure sufficient seating can be arranged. During this meeting, the Advisory Committee will focus on cleaning up the unfinished language and issues.

Tentatively-Scheduled Combined Meeting: A scheduling conflict necessitated the date change of the tentatively-scheduled combined meeting from July 21st to **Thursday, July 28, 2005**. This meeting may not be necessary if general consensus of recommended language can be reached after the July 8th meeting.